

Law Office of Mark Bernstein
Proposed Attorneys for 2127 Flatbush Ave, Inc.
Debtor-in-Possession
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Mark Bernstein

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 11

2127 FLATBUSH AVE, INC.,

Case No: 19-

Debtor.

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AFFIDAVIT PURSUANT TO LOCAL RULE 1007-4

STATE OF NEW YORK)
)ss.:
COUNTY OF SUFFOLK)

GENE BURSHTEN, being duly sworn, deposes and says:

1. I am the President of the Debtor and I have personal knowledge of the information contained herein, as well as authority to make these statements on behalf of the Debtor.

2. No committee has been organized prior to entry of the order for relief. I am the only member of the Debtor's management, and I am responsible for managing the entire operation.

3. The following information is responsive to Local Rule of Bankruptcy Procedure 1007-4:

- i. The Debtor is not a small business debtor within the meaning of Bankruptcy Code § 101(51D);

- ii. The Debtor has a commercial/residential real estate development comprising of property with a total of 2 commercial units located at 2127 Flatbush Avenue, Brooklyn, NY 11234. The Debtor's secured creditor brought a foreclosure action against it in the Supreme Court of the State of New York in 2009 under Index No. 29704/2009, and a foreclosure auction sale was scheduled for September 12, 2019 and the notice of sale indicated that the Debtor owed approximately \$296,408.94 plus interest and costs. This case was filed under Chapter 11 of the Bankruptcy Code to give the Debtor the opportunity to modify and/or refinance the property to modify or satisfy the secured creditor's claim in addition to satisfying all other claims against the estate;
 - iii. Not applicable;
 - iv. Not applicable;
 - v. See List of Largest Unsecured Creditors, filed with the Petition;
 - vi. See List of Secured Creditors, filed with the Petition;
 - vii. See Schedules A/B and D/E/F, filed with the Petition;
 - viii. The Debtor has only one class of shares of stock, and I own 100% of them;
 - ix. Not applicable.
4. The Debtor has no employees save myself, and I do not draw a salary.
5. In the next 30 days, the rents collected on a monthly basis includes two commercial tenants who pay approximately \$2,000 and \$1,900 monthly. They each pay their own utilities and the Debtor anticipates no other expenses, other than any

payment that may be made to the secured creditor a monthly payment on the mortgage anticipated to be in a modified amount no more than approximately \$2,000 monthly. The Debtor also pays its own insurance its property, so to the extent any insurance payment comes due it will be paid.

6. The Debtor is a corporation, and there are no corporations who own 10% or more of its outstanding shares of stock.

2127 Flatbush Ave, Inc.

By: /s/ **Gene Burshtein**
Gene Burshtein, President

Sworn to before me this
10th day of September, 2019

/s/ **Mark R. Bernstein**
Mark R. Bernstein
Notary Public
No. 02BE6362524
Qualified in Suffolk County
Commission Expires July 31, 2021